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APPLICATION NO.	FIL	ING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/608,987	06	5/26/2003	John R. Hawkins	DEP5118 6430	
27777	7590	03/17/2005		EXAMINER	
PHILIP S. J	OHNSON	1		RAMANA, A	NURADHA
JOHNSON &	JOHNSO	N			
ONE JOHNSON & JOHNSON PLAZA				ART UNIT	PAPER NUMBER
NEW BRUNSWICK, NJ 08933-7003				3732	

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

,	Application No.	Applicant(s)  HAWKINS, JOHN R.	
Advisory Action	10/608,987		
Before the Filing of an Appeal Brief	Examiner	Art Unit	
	Anu Ramana	3732	
The MAILING DATE of this communication ap	pears on the cover sheet wit	h the correspondence address	
HE REPLY FILED March 10, 2005 FAILS TO PLACE THIS	APPLICATION IN CONDITION	N FOR ALLOWANCE.	
applicant must timely file one of the following replies: (application in condition for allowance; (2) a Notice of A Request for Continued Examination (RCE) in compliar time periods:  a) The period for reply expiresmonths from the mailin Diagram of the period for reply expires on: (1) the mailing date of this A event, however, will the statutory period for reply expire later Examiner Note: If box 1 is checked, check either box (a) or MONTHS OF THE FINAL REJECTION. See MPEP 706.0 Extensions of time may be obtained under 37 CFR 1.136(a). The date	Appeal (with appeal fee) in connewith 37 CFR 1.114. The rest of the final rejection. Advisory Action, or (2) the date set for than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN 7(f).	npliance with 37 CFR 41.31; or (3) ply must be filed within one of the orth in the final rejection, whichever is late g date of the final rejection.  THE FIRST REPLY WAS FILED WITH	a following er. In no HIN TWO
en filed is the date for purposes of determining the period of extensio FR 1.17(a) is calculated from: (1) the expiration date of the shortened ove, if checked. Any reply received by the Office later than three morned patent term adjustment. See 37 CFR 1.704(b).  OTICE OF APPEAL	n and the corresponding amount of statutory period for reply originally s nths after the mailing date of the fin	the fee. The appropriate extension fee uset in the final Office action; or (2) as set all rejection, even if timely filed, may reduce	nder 37 forth in (b) e any
The reply was filed after the date of filing a Notice of A was filed on A brief in compliance with 37 CFF Appeal (37 CFR 41.37(a)), or any extension thereof (3 Appeal has been filed, any reply must be filed within the MENDMENTS	R 41.37 must be filed within tw 7 CFR 41.37(e)), to avoid disr	o months of the date of filing the N nissal of the appeal. Since a Notice	lotice of
2 M The respond amondment(s) filed after a final rejection	on, but prior to the date of filin	a a brief will not be entered because	60

3. 🔀 The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s): 6. Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-9,11,13-20,22-24,28 and 29. Claim(s) withdrawn from consideration: \_ AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be

entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a

showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s)

11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:

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13. Other:

REQUEST FOR RECONSIDERATION/OTHER

Continuation of 3. NOTE: Applicants' amendment overcomes the rejections made in the Office Action mailed on February 9, 2005. However, Applicants' amendment necessitates further search and consideration.